

CODE OF CONDUCT DUE PROCESS HEARING RIGHTS

- ◆ A youth has the right to receive a copy of the Major Violation Report before the end of the reporting employee's shift, but no later than 24 hours from the time of the violation.
- ◆ A youth has the right to receive notice [Attachment B.5.1 (c)] of the time and date of the hearing at least 24 hours before the hearing.
 - The notice will cite the youth's name, the major violation, the date of the violation, the date and time it is posted, and the date and time of the conduct hearing.
 - The youth's rights relating to the hearing process shall be posted with the notice.
 - If the hearing is held less than twenty-four (24) hours from the time of the notice, Waiver #1 [Attachment B.5.1 (d)] must be signed by the youth. If the youth does not sign the waiver, the hearing must be rescheduled.
- ◆ A youth has the right to be present at the hearing unless he waives this right by signing Waiver #2 [Attachment B.5.1 (d)] or by exhibiting disruptive behavior.
- ◆ A youth has the right to request a staff member to represent him during the Conduct Code hearing. If his specified representative is not reasonably available, another staff member shall be appointed to represent him.
- ◆ A youth has the right to request that witnesses (another youth or staff) be compelled to attend the hearing and provide testimony on his behalf.
- ◆ A youth has the right to receive a copy of the decision at the conclusion of the hearing.
- ◆ A youth has the right to appeal the decision to the Facility Director and to receive a copy of that decision.
- ◆ A youth has the right to have the Deputy Assistant Secretary for Facilities review the Director's decision and to receive a copy of that decision.